

MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, APRIL 23, 2002
COUNTY COMMISSIONERS CHAMBERS, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.

Commissioners Present: Bernie Heier, Vice Chair
Kathy Campbell
Larry Hudkins
Ray Stevens

Commissioners Absent: Bob Workman, Chair

Others Present: Kerry Eagan, Chief Administrative Officer
David Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Trish Owen, Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Commissioners meeting was called to order at 1:30 p.m.

- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, April 16, 2002. (A copy of these minutes is on file in the office of the Lancaster County Clerk.)

MOTION: Hudkins moved and Stevens seconded approval of the minutes of the Board of Commissioners meeting dated April 16, 2002. Campbell, Hudkins, Heier and Stevens voted aye. Motion carried.

- 2) **SPECIAL PRESENTATIONS:**

A. A resolution proclaiming April 22 through April 26, 2002 as Lancaster County Crime Victims Rights Week. (Kathy Stevenson, Jo Anna Svoboda, Jody Brott and Pat Westendorf with the Lincoln Police Department's Victim Witness Unit) (R-02-0035)

Appearing were Jo Anna Svoboda and Kathy Stevenson with the Lincoln Police Department's Victim Witness Unit.

Svoboda thanked the County for supporting the program for the past 20 years.

2) **SPECIAL PRESENTATIONS CONTINUED:**

The Clerk read Resolution 02-35 into the record.

MOTION: Campbell moved and Stevens seconded approval of Resolution 02-35. Heier Campbell, Stevens and Hudkins voted aye. Motion carried.

3) **PUBLIC COMMENT:** The public comment period is limited to thirty (30) minutes in duration and each speaker is limited to five (5) minutes. These time limits may be extended at the discretion of the County Board Chair. Comments shall be limited to items on the agenda.

A. Gary Lacey, County Attorney, introduced Lori Maret and explained that Ms. Maret would be a temporary attorney taking the place of Sarah McGowan while on maternity leave. He added that Ms. Maret had been practicing law since 1995 and it was his hope for her to continue employment with the County Attorney's Office upon Ms. McGowan's return.

B. The County Board extended their congratulations to Kevin Abourezk, reporter for the *Lincoln Journal Star*, on receiving the 2002 Outstanding Young Nebraska Journalist Award from the Nebraska Press Association.

4) **CLAIMS:** **Approval of all claims processed through Tuesday, April 23, 2002.**

MOTION: Hudkins moved and Campbell seconded approval. Hudkins, Campbell, Stevens and Heier voted aye. Motion carried.

5) **NEW BUSINESS:**

A. An application for a Special Designated License submitted by D.L. Cole Inc. d/b/a The Isles Pub & Pizza to hold a wedding reception on Saturday, June 1, 2002 from 12 p.m. to 1 a.m. at Country Pines located at 6305 West Adams Street.

MOTION: Campbell moved and Hudkins seconded approval of the application for a Special Designated License submitted by D.L. Cole Inc. d/b/a The Isles Pub & Pizza. Hudkins, Stevens, Heier and Campbell voted aye. Motion carried.

5) NEW BUSINESS CONTINUED:

B. An agreement between Lancaster County and the City of Lincoln and the State Department of Roads to address ownership and the method of funding for the South Beltway Project. The City and State will jointly pursue 80 percent of the costs from Federal Highway Trust Funds "special project funds" and the City shall provide the remaining 20 percent. The County shall accept the relinquishment of existing N-2 from the east junction of the South Beltway and N-2 to the east corporate limits of Lincoln and from the west corporate limits of Lincoln to the current junction of N-2 and U.S.- 77. The County shall also accept L-55W from the west corporate limits of Lincoln and L-55W to the junction of L-55 W and U.S.-77. Relinquishment shall occur upon completion of the South Beltway. (C-02-0166)

Don Thomas, County Engineer, explained that in exchange for the State of Nebraska- Department of Roads assuming responsibility for the South Beltway they will remove Highway 2 and a section of Warlick Boulevard from the system as it comes into Lincoln.

Roger Figard, City Engineer, stated that the City Council approved the agreement on Monday, April 22, 2002.

In response to a question asked by Stevens regarding the opening of the South Beltway, Figard stated they hope it will be driveable in 2009.

Thomas stated he visited with the Department of Roads who had indicated they would be requesting proposals for the design during the latter part of May or the beginning of June.

Stevens inquired if the upgrading of the West Beltway from an expressway to a freeway was included in the South Beltway Project.

Thomas stated it would be included.

Figard stated the funding for the upgrade would be a part of the overall funding request along with the South Beltway.

5) **NEW BUSINESS CONTINUED:**

MOTION: Campbell moved and Hudkins seconded approval of an agreement between Lancaster County, the City of Lincoln and the State Department of Roads to address ownership and the method of funding for the South Beltway Project. Stevens, Campbell, Hudkins and Heier voted aye. Motion carried.

C. An agreement with Continental Fire Sprinkler Company for an annual inspection of the sprinkler system at the Lancaster County Juvenile Detention Center. The County will pay \$395 for the inspection which is required by Title 153, Chapter 19 of the Nebraska State Fire Marshal's Regulations. (C-02-0171)

MOTION: Hudkins moved and Campbell seconded approval of an agreement with Continental Fire Sprinkler Company. Heier, Hudkins, Campbell and Stevens voted aye. Motion carried.

D. An amendment to an agreement with Lisa Young, under County contract number C-01-554, for the provision of services as a nurse practitioner at the Community Mental Health Center. The amendment provides for the services of Lisa Young for up to twelve hours per week instead of nine hours per week. (C-02-0168)

MOTION: Campbell moved and Stevens seconded approval of an amendment to an agreement (C-01-554) with Lisa Young for nurse practitioner at the Community Mental Health Center. Campbell, Stevens, Heier and Hudkins voted aye. Motion carried.

E. A second amendment to an agreement with ServiceLinc, under County contract number C-01-179, for a project that will place consumers with serious mental disorders in employment situations to impact systems and functioning. The second amendment extends the term of the agreement to June 30, 2002. (C-02-0169)

David Johnson, Deputy County Attorney, requested the Board's approval be subject to receipt of fully executed originals.

5) **NEW BUSINESS CONTINUED:**

MOTION: Campbell moved and Hudkins seconded approval of a second amendment to an agreement with ServiceLinc (C-01-179) extending the term of the agreement to June 30, 2002 subject to receiving fully executed originals. Heier, Stevens, Campbell and Hudkins voted aye. Motion carried.

F. An amendment to a lease agreement with 8th & M Parking to lease four parking spaces at 801 N Street. The amendment extends the term of the lease to October 31, 2003. All other terms and conditions shall remain in effect. (C-02-0170)

MOTION: Hudkins moved and Stevens seconded approval of an amendment to a lease agreement with 8th & M Parking extending the lease to October 31, 2003. Stevens, Hudkins, Heier and Campbell voted aye. Motion carried.

G. A right-of-way contract between the Lancaster County Engineering Department and Schwarck Quarries, Inc. amending County contract number C-00-620 to provide additional compensation for damages. (C-02-0167)

MOTION: Campbell moved and Stevens seconded approval of a right-of-way contract with Schwarck Quarries Inc. amending Contract C-00-620 to provide additional compensation for damages. Campbell, Hudkins, Stevens and Heier voted aye. Motion carried.

H. Notice of intent to terminate a contract for group life insurance with Hartford Life, effective June 1, 2002.

MOTION: Hudkins moved and Stevens seconded approval of notice of intent to terminate a contract for group life insurance with Hartford Life, effective June 1, 2002. Hudkins, Heier, Campbell and Stevens voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

I. A resolution in the matter of County maintenance of the following roads located in Hickman Ridge Estates Addition: (R-0-0039)

- ▶ **Approximately 3,236 feet of Hickman Ridge Road**
- ▶ **Approximately 490 feet of Natney Court**
- ▶ **Approximately 701 feet of Natney Street**
- ▶ **Approximately 1,271 feet of Leisure Lane**
- ▶ **Approximately 400 feet of Leisure Place**
- ▶ **Approximately 391 feet of Leisure Court**

The Clerk noted that the County Attorney's Office requested this item be held.

J. A resolution directing the County Engineer to conduct a study regarding the vacation of a portion of a County road which is the north stub of Bobwhite Trail located within Elsner Lakeside Estates in Lancaster County, Nebraska. (R-02-0040)

MOTION: Campbell moved and Stevens seconded approval of Resolution 02-40. Hudkins, Campbell, Stevens and Heier voted aye. Motion carried.

K. Recommendation from the Purchasing Agent and the Lancaster County Corrections Department to award a bid to Swanson Gentleman Hart, Inc., in the amount of \$15,850, to provide and install an indoor synthetic sport surface in exercise pods "C" and "D". (B-02-0018)

MOTION: Stevens moved and Campbell seconded approval to award a bid to Swanson Gentleman Hart, Inc., in the amount of \$15,850, to provide and install an indoor synthetic sport surface in exercise pods "C" and "D" at the Corrections Department. Campbell, Hudkins, Heier and Stevens voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

- L. Recommendation from the Purchasing Agent and the Lancaster County Engineer to award a bid to White Glove Janitorial, in the amount of \$11,400 per year, to provide cleaning services for the County Engineer and Noxious Weed Control Authority at the Westgate office and shop facilities. This is a one year contract with two, one year renewal options for a total of three years. (B-02-0019)**

Heier asked why the recommendation was for the second low bidder.

Kathy Smith, Assistant Purchasing Agent, explained the bid specifications asked for references and minimum work history. She said the low bidder did not provide any references and had no experience in the commercial cleaning area.

MOTION: Campbell moved and Stevens seconded approval to award a bid to White Glove Janitorial, in the amount of \$11,400 per year, for cleaning services for the County Engineer and Noxious Weed Control Authority at the Westgate office and shop facilities. Heier, Campbell, Stevens and Hudkins voted aye. Motion carried.

- M. Withdrawal of a political subdivision tort claim filed against Lancaster County by Barbara J. Bais and Gregory R. Pettibone for overpayment of taxes, in the amount of \$3,014.08. Withdrawal is at the request of Ms. Bais and Mr. Pettibone.**

MOTION: Campbell moved and Hudkins seconded to honor the request and withdraw the political subdivision tort claim filed against Lancaster County by Barbara J. Bais and Gregory R. Pettibone. Stevens, Heier, Campbell and Hudkins voted aye. Motion carried.

- N. Setting of salary for Lori A. Maret at \$55,000 as an attorney in the County Attorney's Office, effective April 22, 2002, at the request of Gary Lacey, County Attorney.**

MOTION: Campbell moved and Stevens seconded approval of setting a salary for Lori A. Maret at \$55,000 as an attorney in the County Attorney's Office, effective April 22, 2002. Hudkins, Campbell, Stevens and Heier voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

O. Setting of salary for Andrea Snowden, Deputy Public Defender, at \$53,750 annually, effective May 2, 2002.

MOTION: Campbell moved and Stevens seconded approval of setting a salary for Andrea Snowden, Deputy Public Defender, at \$53,750 annually, effective May 2, 2002. Hudkins, Stevens, Heier and Campbell voted aye. Motion carried.

P. Promotion to Attorney II and salary increase for Reggie Ryder, an attorney in the Lancaster County Public Defender's Office, to \$56,190 annually, effective May 2, 2002.

MOTION: Campbell moved and Stevens seconded approval of a promotion to Attorney II and salary increase for Reggie Ryder, Deputy Public Defender, to \$56,190 annually, effective May 2, 2002. Stevens, Campbell, Hudkins and Heier voted aye. Motion carried.

Q. Appointment of Foster Collins to serve a three year term on the Lancaster County Ecological Advisory Committee, commencing January 1, 2002.

MOTION: Campbell moved and Stevens seconded approval of an appointment of Foster Collins to the Lancaster County Ecological Advisory Committee, beginning January 1, 2002. Heier, Hudkins, Campbell and Stevens voted aye. Motion carried.

- 6) **CONSENT ITEMS:** These are items of business that are routine and which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

A. Receive and Place on File:

1. **County Attorney's Quarterly Report from January 1, 2002 through March 31, 2002.**
2. **Deerhaven Acres Special Election results from the Election Commissioner.**
3. **Lincoln City Libraries Director's Report for March, 2002.**

6) CONSENT ITEMS CONTINUED:

B. Setting of a joint public hearing with the Lancaster County Board of Commissioners and Lincoln City Council at 1:30 p.m. on Wednesday, May 8, 2002 in the County Commissioners/City Council Chambers, Room 112, on the first floor of the County-City Building regarding the proposed 2025 Lincoln City-Lancaster County Comprehensive Plan with continued public hearing on Wednesday, May 22, 2002 at 4 p.m.

MOTION: Hudkins moved and Stevens seconded approval of the Consent Items. Campbell, Stevens, Heier and Hudkins voted aye. Motion carried.

7) ADJOURNMENT:

MOTION: At 1:55 p.m. Stevens moved and Campbell seconded adjournment of the Board of Commissioners meeting. Campbell, Stevens, Heier and Hudkins voted aye. Motion carried.

Bruce Medcalf
County Clerk

**MINUTES
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, APRIL 23, 2002
COUNTY COMMISSIONERS CHAMBERS, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS
MEETING**

Commissioners Present: Bernie Heier, Vice Chair
Kathy Campbell
Larry Hudkins
Ray Stevens

Commissioners Absent: Bob Workman, Chair

Others Present: Norm Agena, County Assessor
Kerry Eagan, Chief Administrative Officer
David Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Trish Owen, Deputy County Clerk
Gwen Thorpe, Deputy Chief Administrative Officer

The Board of Equalization was convened at 1:55 p.m.

The Chair noted that the date of the Board of Equalization meeting should be changed from April 16, 2002 to April 23, 2002.

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, April 16, 2002. (A copy of these minutes is on file in the office of the Lancaster County Clerk.)

MOTION: Hudkins moved and Campbell seconded approval of the minutes of the Board of Equalization meeting dated April 16, 2002. Campbell, Hudkins, Heier and Stevens voted aye. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

Approval of 5 additions and deductions to the tax assessment rolls per Exhibit A.

MOTION: Stevens moved and Campbell seconded approval of the additions and deductions to the tax assessment rolls. Stevens, Heier, Campbell and Hudkins voted aye. Motion carried.

4) **MOTOR VEHICLE TAX EXEMPTIONS FOR THE FOLLOWING:**

Catholic Bishop of Lincoln, Inc. (2 exemptions)
City Impact
Faith Apostolic Holiness Church
Grace Lutheran Church
St. Peter's Catholic Church of Lincoln

MOTION: Campbell moved and Hudkins seconded approval of motor vehicle tax exemptions for Catholic Bishop of Lincoln, Inc., Faith Apostolic Holiness Church, Grace Lutheran Church and St. Peter's Catholic Church of Lincoln and for City Impact subject to the vehicle(s) being titled and registered to the applicant. Hudkins, Campbell, Stevens and Heier voted aye. Motion carried.

5) **ADJOURNMENT:**

By direction of the Vice Chair, the Board of Equalization meeting was adjourned at 1:58 p.m.

Bruce Medcalf
County Clerk